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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

<p>JESSE ANNE MAJORS,</p> <p>Plaintiff,</p> <p>v.</p> <p>THOMAS JEFFERSON SCHOOL OF LAW, a California nonprofit public benefit corporation, RUDY HASL, JEFFREY JOSEPH, BETH KRANSBERGER, ERIC MITNICK, JULIE GARRETT, CLAIRE WRIGHT, JOY DELMAN, JULIE CROMER-YOUNG, ARNOLD ROSENBERG, JANE LARRINGTON, PATRICK MEYER, LISA FERREIRA, ANGELA BAYNE, JAN DAUSS, LISA CHIGOS, CATHERINE DEAN, AND ALL MEMBERS OF THE ETHICS COMMITTEE OF THOMAS JEFFERSON SCHOOL OF LAW 2006-2011,</p> <p>Defendants,</p>	<p>MEMORANDUM OPPOSING MOTION FOR ORDER DECLARING ALL DEFENDANTS PROPERLY SERVED [Docket No.: 30]</p> <p>Case No.: 2:11cv00558 CW</p>
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Plaintiff seeks to circumvent the very simple and straight forward provisions of Rule 4 Fed.

R. Civ. P. pertaining to service of process, a process she would have learned as a first year law student several years ago. The clerk properly dealt with Plaintiff's last failed attempt at serving improperly issued summons upon the numerous individuals she has listed in her caption. See docket item 19. It is counsel's understanding that none of the individuals listed in Plaintiff's caption as Defendants have been actually served. It is counsel's further understanding that Plaintiff has failed to have any summons properly issued by the clerk. Plaintiff cites no legal authority for the proposition that she can merely move the court to waive any, or all, of the court's rules. "Litigants and Courts are governed by the Federal and Local Rules of Civil Procedure, not the Helpful Suggestions of Civil Procedure." *Bettis v. Toys "R" Us*, 2009 U.S. Dist. LEXIS 32518 (S.D. Fla. Apr. 13, 2009).

The caption of this case shows that Plaintiff listed as Defendants "ALL MEMBERS OF THE ETHICS COMMITTEE OF THOMAS JEFFERSON SCHOOL OF LAW 2006-2011" in addition to sixteen individuals. It is counsel's understanding that Plaintiff has included as Defendants in her caption, though not necessarily in the text of her amended complaint, virtually everyone associated with Defendant Thomas Jefferson School of Law against whom she held a grudge for some reason or another. Reading Plaintiff's motion literally we would presume she is asking that the court deem the unnamed members of the ethics committee served as well as the individuals who have been listed in the caption.

The fact that the Defendant was dismissed from law school for plagiarizing the work of others, twice, does not mean those involved in the process by virtue of their positions with the school are by any stretch of the imagination civically liable to her. The Federal Rules of Civil

Procedure do not allow her to deem served with process everyone she dislikes. If Plaintiff is serious about suing people she should be required to follow the same rules everyone else does.

In *Chambers v. NASCO*, 501 U.S. 32 (1991), the court upheld a trial court's award of attorneys' fees against a party who had repeatedly taken actions which were without merit and which delayed the proceedings. These attorneys' fees were awarded against the party individually. The test for awarding attorneys fees is objective. Defendant moves the court for an award of attorneys' fees expended in association with this baseless motion.

DATED 8th day of August, 2011.

/s/ Robert H Wilde
ROBERT H. WILDE
Attorney for Defendant Thomas Jefferson School of Law

Delivery Certificate

I hereby certify that I caused a true and correct copy of the foregoing Memorandum to be served by the method(s) indicated below and addressed to the following on this 8th day of August, 2011.

Jesse Anne Majors
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/s/ Robert H Wilde